UNITED STATES BANKRUPTCY COURT
District of Maine

Hearing Scheduled
Date: April 28, 2010
Time: 9:00 a.m.
Location: Portland
Objection Date: April 19, 2010

In the matter of:

STEVEN DAGGETT
STACEY DAGGETT

Debtors

Chapter 13
Case No. 05-22417-LHK

TRUSTEE'S MOTION TO DISMISS
OR FOR OTHER APPROPRIATE ORDERS

NOW COMES the Standing Chapter 13 Trustee, Peter C. Fessenden, voluntarily dismissing or withdrawing any pending motions to dismiss, and moves to dismiss the above-captioned Chapter 13 case, or for other appropriate orders of this Honorable Court, as follows:

1. The petition for relief under Chapter 13 was filed on October 13, 2005; the current plan calls for payments in the amount of $450.00 per month.

2. This motion is filed for the following reason(s):

a) The case is currently $41,483.04 in arrears.
b) On or before October 13, 2008 the debtors were to make a lump sum payment in the amount of $46,883.04 from the sale of the debtors' camp in Osborne & the 2003 ATV. As of this date, this amount has not been received by the trustee's office.
c) The five year term is to expire October 13, 2010 and it is unclear how the debtors are going to cure their arrears and complete their Chapter 13 plan obligations in the allotted time period.

WHEREFORE, the trustee prays that the above Chapter 13 case be dismissed or that the court issue such other orders as may be appropriate.

Date: March 19, 2010

/s/ Peter C. Fessenden
PETER C. FESSENDEN, Esq.
Standing Chapter 13 Trustee
14 Maine Street - Suite 307
Post Office Box 429
Brunswick, Maine 04011-0429
(207) 725-1300

Case Status Report - Receipts History

Status as of 3/19/2010

05-22417-

STEVEN DAGGETT
5 BARBARA AVENUE

SCARBOROUGH ME 04074

STACEY DAGGETT

Atty: BARRY E. SCHKLAIR, ESQ.

-17 Rmng of 36 Mos.
Payment: $450.00 Per M

First Pmt Date 11/13/2005 Delinquent $41,483.04

Debtor Graduated Payments

Start Date	11/13/2005	End Date	10/13/2008	$450.00	Per Month	=	$16,200.00
Start Date	10/13/2008	End Date	10/13/2008	$46,883.04	Per Month	=	$46,883.04

Check	**Batch Id**	**Date**	**Amount Paid**	**Src**	**Type**	**Description**	**Employer**
2004	10030001	3/1/2010	$450.00	PC	Personal Check		
2000	10010047	1/29/2010	$450.00	PC	Personal Check		
1990	10010003	1/4/2010	$450.00	PC	Personal Check		
1984	09110022	11/17/2009	$450.00	PC	Personal Check		
1976	09100018	10/16/2009	$450.00	PC	Personal Check		
1967	09080028	8/26/2009	$450.00	PC	Personal Check		
1961	09070034	7/27/2009	$450.00	PC	Personal Check		
1953	09060031	6/25/2009	$450.00	PC	Personal Check		
1946	09050015	5/20/2009	$450.00	PC	Personal Check		
1938	09040006	4/8/2009	$450.00	PC	Personal Check		
1937	09040002	4/2/2009	$450.00	PC	Personal Check		
1933	09020047	2/27/2009	$450.00	PC	Personal Check		
1926	09010020	1/23/2009	$450.00	PC	Personal Check		
1916	08120023	12/17/2008	$450.00	PC	Personal Check		
1907	08110017	11/17/2008	$450.00	PC	Personal Check		
1902	08100018	10/21/2008	$450.00	PC	Personal Check		
1866	08090020	9/11/2008	$450.00	PC	Personal Check		
1863	08080016	8/20/2008	$450.00	PC	Personal Check		
1859	08070035	7/31/2008	$450.00	PC	Personal Check		
1846	08060019	6/23/2008	$450.00	PC	Personal Check		
1897	08050010	5/9/2008	$900.00	PC	Personal Check		
1882	08030009	3/10/2008	$900.00	PC	Personal Check		
1840	08010044	1/29/2008	$450.00	PC	Personal Check		
1826	07120015	12/11/2007	$450.00	PC	Personal Check		
1819	07110002	11/2/2007	$450.00	PC	Personal Check		
1807	07090020	9/18/2007	$450.00	PC	Personal Check		
1801	07080045	8/27/2007	$450.00	PC	Personal Check		
1798	07080017	8/10/2007	$450.00	PC	Personal Check		
1788	07060046	6/25/2007	$450.00	PC	Personal Check		
1783	07060002	6/1/2007	$450.00	PC	Personal Check		
1776	07040036	4/24/2007	$450.00	PC	Personal Check		
57659		3/12/2007	$900.00	RP	Regular Pmt	PC1766 52-7445	
55721		1/12/2007	$450.00	RP	Regular Pmt	PC1753 52-7445	
54813		12/4/2006	$450.00	RP	Regular Pmt	PC1746 52-7445	
53300		10/31/2006	$450.00	RP	Regular Pmt	PC1735 52-7445	
52127		9/26/2006	$450.00	RP	Regular Pmt	PC1725 52-7445	
50754		8/16/2006	$450.00	RP	Regular Pmt	PC1713 52-7445	
48508		6/13/2006	$900.00	RP	Regular Pmt	PC1689 52-7445	
46737		4/26/2006	$450.00	RP	Regular Pmt	PC 1671 52-7445	
45783		3/31/2006	$450.00	RP	Regular Pmt	PC 1663 52-7445	
44437		2/27/2006	$450.00	RP	Regular Pmt	PC 1651 52-7445	
43628		2/3/2006	$450.00	RP	Regular Pmt	PC 1646 52-7445	
41874		12/19/2005	$450.00	RP	Regular Pmt	PC 1636 52-7445	
1555		11/14/2005	$450.00	RP	Regular Pmt	PC 1623 52-7445	
Total		$21,600.00					

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STACEY DAGGETT

Debtors

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NOTICE OF HEARING - RESPONSE REQUIRED

The Standing Chapter 13 trustee has filed a motion to dismiss the case with the United States Bankruptcy Court.

YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not agree with the trustee or if you want to the court to consider your views, you or your attorney must file a written response on or before **April 19, 2010**, setting forth your position and the action you wish the court to take. The original should be filed with the United States Bankruptcy Court, **537 Congress St., 2nd floor, Portland, ME**. If you mail your response to the court for filing, you must mail it early enough so the court will *receive* it by the date stated above.

You must also mail a copy to the Standing Chapter 13 Trustee at the address set forth below, and any other parties in interest whose names and addresses appear on the certificate of service.

A hearing will be held before the United States Bankruptcy Court, 537 Congress St., 2nd floor, Portland, ME., on April 28, 2010 at 9:00 a.m., or as soon thereafter as the case may be called.

If you or your attorney do not file a written response, the court may decide that you do not oppose the trustee's position and may enter an order granting the relief sought.

Date: March 19, 2010

/s/ Peter C. Fessenden
PETER C. FESSENDEN, Esq.
Standing Chapter 13 Trustee
14 Maine Street - Suite 307
Post Office Box 429
Brunswick, Maine 04011-0429
(207) 725-1300

CERTIFICATE OF SERVICE
FOR ELECTRONIC CASE FILING

I, Peter C. Fessenden, hereby certify that I caused a true and correct copy of the above document to be served on the parties at the addresses set forth on this service list on the 19th day of March.

“Notice will be electronically mailed to:”;

Stephen G. Morrell, Esq. AUST

Barry E. Schklair, Esq.

All other parties listed on N.E.F. as being served electronically

“**Notice will sent by first class mail to:**”

Steven & Stacey Daggett
5 Barbara Avenue
Scarborough, ME 04074

Date: March 19, 2010

/s/ Peter C. Fessenden
PETER C. FESSENDEN, Esq.
Standing Chapter 13 Trustee